

AMENDATORY SECTION (Amending WSR 04-14-077, filed 7/6/04, effective 8/6/04)

**WAC 308-96A-005 Terminology--Definitions.** Terms used in chapter 46.16 RCW and this chapter will have the following meanings except where otherwise defined, and where the context clearly indicates the contrary:

(1) ~~"Affidavit of loss" ((means a department form used by an applicant, to indicate that a title, registration, license tab, or decal has been lost, stolen, mutilated or destroyed. The form is completed and signed under oath in the presence of an official, such as a notary public, or certified by a license clerk or the authorized agent for a dealership, when a vehicle is in their inventory for resale))~~ is a written statement confirming the certificate of ownership, registration certificate, validation tab or decal has been lost, stolen, destroyed or mutilated. The affidavit of loss release of interest form may be used to release interest in the vehicle and transfer gross weight license of that vehicle to a new owner. The signature of the owner completing the affidavit of loss release of interest must be notarized or certified as described in WAC 308-56A-270.

(2) "Agent" means any county auditor, or other individual or business entity other than a subagent appointed to carry out vehicle licensing and titling functions for the department. (RCW 46.01.140.)

(3) "Application" means a form provided or approved by the department to apply for different types of services and documents.

(4) "Cab and chassis" is (( ))an incomplete vehicle manufactured and sold with only a cab (( )) frame and running gear. (WAC 308-96A-145.)

(5) "Certificate of license registration" means a document issued by the department and required by RCW 46.16.260 to be carried in the vehicle to operate legally on the roadways of Washington and described in RCW 46.12.050. (( ))

(6) "Chattel lien" is a process by which a person may sell or take ownership of a vehicle when:

(a) They provide services or materials for a vehicle at the request of the registered owner; and

(b) The person who provided the services and/or materials has not been compensated.

(7) "Collector vehicle license plate" is a special license plate that may be assigned to a vehicle that is more than thirty years old as authorized by RCW 46.16.305(1).

~~((+7))~~ (8) "Confidential" and "undercover" license plates are standard issue license plates assigned to vehicles owned or operated by public agencies. These license plates are used as specifically authorized by RCW 46.08.066.

~~((+8))~~ (9) "Current year" means the current registration year unless otherwise stated. (WAC 308-96A-260.)

~~((+9))~~ (10) "Department" means the department of licensing. (RCW 46.04.162.)

~~((+10))~~ (11) "Empty scale weight" means the same as "scale weight" in this section.

(12) "Expiration day and month."

(a) "Date of expiration" or "expiration date" means the day of the month on which the vehicle registration, gross weight license, decal or tabs expire.

(b) "Month of expiration" or "expiration month" means the calendar month during which a registration period ends. (WAC 308-96A-260.)

~~((11))~~ (13) "Fleet" means a group of vehicles registered in the same owner name and which have been assigned the same fleet identifier code by the department.

~~((12))~~ (14) "Fixed load vehicle" is a vehicle that is exempt from the one hundred fifty percent gross weight requirements as specified in RCW 46.16.079 and described in WAC 308-96A-099.

~~((13))~~ (15) "Gross weight," "declared gross weight," and "tonnage" mean ~~((s))~~ gross weight defined in RCW 46.16.070, 46.16.090, 46.16.111 and chapter 46.44 RCW.

~~((14))~~ (16) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as a maximum load weight of a single vehicle. The "gross combined weight rating" (GCWR), is the GVWR of any unit plus the GCWR of the towed unit. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with GVWR of less than 26,001 pounds has been structurally modified to carry a heavier load, the actual gross weight capacity of the modified vehicle will be determined as allowed in RCW 46.44.041 and 46.44.042.

(17) "Hybrid motor vehicle" means a vehicle that uses multiple power sources or fuel types for propulsion and meets the federal definition of a hybrid motor vehicle.

~~((15))~~ (18) "Identification card" means the identification card referred to in RCW 46.16.381(3) for disabled parking privileges and is used for identification of persons with disabilities.

~~((16))~~ (19) "Indian country" means all lands, notwithstanding the issuance of any patent, within the exterior boundaries set aside by the United States for the use and occupancy of Indian tribes by treaty, law or executive order and which are areas currently recognized as "Indian country" by the United States Department of the Interior as referenced in 18 U.S.C. 1151 and CFR 25.

~~((17))~~ (20) "Indian tribe" means ~~(( ))~~ a Washington Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States Department of the Interior.

~~((18))~~ (21) "Indian" means a person on the tribal rolls of the Washington Indian tribe occupying Indian country.

~~((19))~~ (22) "Individual with disabilities parking placard expiration date" means the last day of the month as specified on the department placard.

~~((20))~~ (23) "Jurisdiction" as used in the parking ticket system means any district, municipal, justice, superior court, or authorized representative of one of these entities.

~~((21))~~ (24) "Jurisdiction seal" means ~~(( ))~~ an embossed seal or stamp provided by the jurisdiction to authenticate court documents.

~~((22))~~ (25) "Landlord's lien" for rent is a process by which a landlord may sell or take ownership of a tenant's vehicle as security for rent due.

(26) "License or licensing" and "register or registering" are synonymous and mean the act of registering a vehicle under chapter 46.16 RCW.

~~((23))~~ (27) "License fee" means the fees required for the act of licensing a vehicle under chapter 46.16 RCW. License fee does not include license plate fees identified as taxes, and fees collected by the department for other jurisdictions.

~~((24))~~ (28) "License tab fees" means the same as described in RCW 46.16.0621.

~~((25))~~ (29) "Licensed physician" for the purpose of individual with disabilities parking privileges, means: Chiropractic physicians, naturopaths, medical doctors, osteopathic physicians, podiatric physicians, and advanced registered nurse practitioners. Licensed physician does not include persons licensed in the professions of dentistry and optometry. (RCW 46.16.381(1).)

~~((26))~~ (30) "Motor home" means a vehicle designed or altered for

human habitation as described in RCW 46.04.305.

~~((27))~~ (31) "Municipality" in reference to parking tickets, means every court having jurisdiction over offenses committed under RCW 46.20.270.

~~((28))~~ (32) "Natural person" means a human being.

(33) "NCIC number" means the numeric code assigned by the National Crime Information Center to identify a jurisdiction.

~~((29))~~ (34) "One hundred twenty-day notice" in reference to parking violations means a notice of parking violations that must be satisfied prior to the registration renewal date. (RCW 46.16.216.)

~~((30))~~ (35) "Parking ticket disposition" means the requested action as determined by the jurisdiction to add failure-to-pay parking violations, or to remove paid parking violations from a vehicle record. (RCW 46.16.216.)

~~((31))~~ (36) "Parking violation" means any standing, stopping or parking violation per RCW 46.20.270(3).

~~((32))~~ (37) "Parking violation list" means a computerized list containing all outstanding parking violations, which have been processed by the department (RCW 46.16.216(1).)

~~((33))~~ (38) "Permanent" in reference to individual with disabilities parking privileges, means a licensed physician has certified that a qualifying condition is expected to last at least five years. (RCW 46.16.381. WAC 308-96A-306.)(())

~~((34))~~ (39) "Permanent fleet" means a group of one hundred or more vehicles registered in the same owner(s) name and which have been assigned the same fleet identifier code by the department and has an expiration date of December 31st of each year. (WAC 308-96A-161.)

(40) "Permit" in reference to individual with disabilities parking privileges means the proof provided by the department in the form of placard(s), special license plate(s) and an identification card indicating eligibility for individual with disabilities parking privileges. (RCW 46.16.381.)

~~((35))~~ (41) "Personalized license plates" are plates denoting the registered owner's chosen format or designation and are limited to those described in RCW 46.16.560, 46.16.570, and 46.16.580. (WAC 308-96A-065.)

~~((36))~~ (42) "Personal use vehicle" in reference to disabled veteran's, prisoners of war and congressional medal of honor plates, means vehicles not used for commercial purpose including: Passenger vehicles, motor homes, motorcycles, and trucks with designated gross vehicle weight not exceeding twelve thousand pounds. Registration ownership must be in the name of the individual and not in the business name. (WAC 308-96A-046.)

~~((37))~~ (43) "Placard" (()) is an item issued to individuals who qualify for special individual with disabilities parking privileges under RCW 46.16.381 and are entitled to receive from the department of licensing in the form of a removable windshield placard bearing the international symbol of access and individual serial number.

~~((38))~~ (44) "Private carriers" means those entities contracting with public transportation authorities to transport persons with disabilities described in RCW 46.16.381. ~~((WAC 308-96A-316.))~~

~~(39))~~ (45) "Private use trailer" means one that is owned by a natural person, and used for the private noncommercial use of the owner.

(46) "Privilege" in reference to individual with disabilities parking privileges means permission to utilize the benefits associated with the permit. (RCW 46.16.381, 46.61.582 and 70.84.090. WAC 308-96A-306.)

~~((40))~~ (47) "Public transportation authorities" means those entities operating motor vehicles owned or leased by Washington state, or a town, city, county, municipality, or metropolitan or municipal corporation within the state, or United States government agencies or Indian nations used for the primary purpose of transporting persons with disabilities described in RCW 46.16.381.

~~((41))~~ (48) "Regular fleet" means a group of five or more vehicles

registered in the same owner(s) name and which have been assigned the same fleet identifier code by the department and has an expiration date of December 31st of each year. (WAC 308-96A-161.)

((+42+)) (49) "Rental car" means a car that is rented as defined in RCW 46.04.465.

((+43+)) (50) "Renewal notice" means the notice to renew a vehicle license ~~((provided by the department))~~. Renewal notices are sent to the registered owner approximately sixty days prior to the current expiration ((year)) date.

((+44+)) (51) "Salvage title" means a certificate of title issued by another jurisdiction designating a motor vehicle as a "salvage vehicle."

((+45+)) (52) "Scale weight" means the weight of a vehicle as it stands without a load. (RCW 46.16.070 ~~((and))~~, 46.16.111, and chapter 46.17 RCW.)

((+46+)) (53) "Self-storage facilities lien" is a process by which the owner of a self-storage facility may sell a vehicle stored at the facility as security for rent or other charges due.

(54) "Signature" means any memorandum, mark, sign or subscriptions made with intent to authenticate an application. (RCW 9A.04.110(23).)

((+47+)) (55) "Special mailer" means the notice sent by the department in lieu of a renewal notice. The special mailer indicates additional or corrective information that must be provided at the time of registration renewal.

((+48+)) (56) "Subagent" means individual(s) ~~((, business, organization, or political entity))~~ recommended by an agent and appointed by the director to provide vehicle and vessel licensing and titling services under contract with the agent as described in RCW 46.01.140.

((+49+)) (57) "Tab(s)" means ~~(( ))~~stickers, issued by the department, affixed to the rear license plate to identify the registration expiration month ~~(( ))~~and year for a specific vehicle.

~~((+50+)) (58) "Tonnage," "declared gross weight" and "declared combined gross weight" are used interchangeably when referring to the amount of weight declared by an owner when licensing a vehicle as described in RCW 46.16.070 and 46.16.111.~~

(+51+)) (58) "Transit permit" means a document that authorizes an individual to operate a vehicle on a public highway of this state solely for the purpose of obtaining necessary documentation to complete and apply for a Washington certificate of ownership or registration, and does not allow unrestricted use of the vehicle. (WAC 308-96A-026.)

((+52+)) (59) "Unprocessed" as used in parking ticket system means no update of the computer record has ~~(( ))~~not been updated.

((+53+)) (60) "Use classes" means those vehicles described in WAC 308-96A-099.

((+54+)) (61) "Vehicle data base record" means the electronic record stored on the department's motor vehicle data base reflecting vehicle and ownership information.

(62) "Vehicle/vessel seller's report of sale" means a document or electronic record transaction that when properly filed protects the seller of a vehicle/vessel from certain criminal and civil liabilities arising from use of the vehicle/vessel by another person after the vehicle/vessel has been sold or a change in ownership has occurred.

AMENDATORY SECTION (Amending WSR 02-11-096, filed 5/20/02, effective 6/20/02)

**WAC 308-96A-101 Scale weight required for licensing.** (1) ~~((What is scale weight?~~

~~Scale weight is the weight of a vehicle without a load.~~

~~(2) When does the department require the scale weight of my vehicle?))~~  
The department requires ~~((the))~~ vehicle scale weight ~~((of your vehicle when))~~  
for:

(a) ~~((The use class requires gross weight))~~ Vehicles licensed under RCW 46.16.070 ~~((and)), 46.16.090, and 46.16.0621;~~

(b) ~~((The vehicle is a trailer;))~~ Trailers;

(c) ~~((The use class is F/H (for hire) or STA (stage);~~

~~(d))~~ The vehicle is powered by propane, natural gas or butane;

~~((e) There is a discrepancy between the scale weight on department records or supporting documents and the actual weight of the vehicle; or~~

~~((f))~~ (d) The vehicle has been structurally modified changing the ~~((empty))~~ scale weight.

~~((3) What does the department accept for scale weight verification?))~~  
(2) **Determining scale weight:**

The department will accept:

(a) The shipping/scale weight as shown on a manufacturer's statement/certificate of origin ~~((or)),~~ factory invoice, previous title, registration, or supporting documentation issued by another jurisdiction; or

(b) A weight slip from a certified scale; or

(c) Information provided by any nationally recognized electronic source, guidebook or other publication of recognized standing in the vehicle industry; (for example: NADA or Kelly Blue Book); or

(d) ~~((Unladen or scale weight as shown on supporting documentation issued by another jurisdiction; or))~~ Automated Value System (AVS) Value Detail Screen; or

(e) Dealer's declaration of factory shipping weight - Completed vehicles only; or

(f) Other sources approved by the department.

AMENDATORY SECTION (Amending WSR 02-10-013, filed 4/22/02, effective 5/23/02)

**WAC 308-96A-201 Purchasing gross weight--Expiration dates.** (1) ~~What~~ ~~((would))~~ is the gross weight expiration date ~~((be))~~ if I purchase twelve thousand pounds or less?

The gross weight license expiration date ~~((must be))~~ is the same as the registration expiration date. Gross weight fees ~~((must be))~~ are paid for the same number of months as the registration.

(2) **What would the gross weight expiration date be if I purchase fourteen thousand pounds or more?**

You, the owner, have two options:

(a) If you choose to ~~((purchase))~~ buy twelve months gross weight, the expiration date of the gross weight is the same as the expiration date of the vehicle registration; or

(b) If you choose to ~~((purchase))~~ buy one to eleven consecutive months,

the expiration date of the gross weight is the same day of the month as the expiration date of the vehicle registration. For example: If the vehicle registration expires March 9, monthly gross weight licenses will expire April 9, May 9, etc. Monthly gross weight may not be purchased beyond the vehicle registration expiration date.

**(3) When renewing the registration and purchasing monthly gross weight, what is the effective date of my gross weight license?**

The effective date of the gross weight license must be the first month the new registration is effective. Example: If the vehicle expiration is March 9, and the vehicle registration is purchased prior to April 9, the effective date is March 10. If the registration is purchased June 15, the effective date is June 10, etc. When there is a partial month between the requested effective date of the gross weight license and the expiration date of the gross weight license, gross weight fees (~~shall be~~) are charged for a full month.

**(4) If the vehicle registration expiration date is the thirty-first day of the month, what is the expiration date of the gross weight for those months having fewer than thirty-one days?**

If the vehicle registration date is the thirty-first, the monthly gross weight will expire on the last calendar day of those months having fewer than thirty-one days.

AMENDATORY SECTION (Amending WSR 02-10-013, filed 4/22/02, effective 5/23/02)

**WAC 308-96A-208 Gross weight--Changing from a nonfarm use class to a farm use class. (1) When may I change my vehicle registration from a nonfarm use class to a farm use class?**

You may change your vehicle registration from a nonfarm to farm use class when the vehicle is being used solely for farm purposes as defined in RCW 46.16.090.

**(2) When is the best time to change my vehicle registration from a nonfarm use class to a farm use class?**

The best time to change your vehicle registration from a nonfarm to a farm use class is at the time you are purchasing gross weight. Changing use class from nonfarm to farm results in a forfeiture of gross weight fees paid. You may increase your declared gross weight to make up the difference between the nonfarm and the farm gross weight fees if the increased gross weight does not exceed the maximum legal limit of the vehicle.

**(3) What would the gross weight expiration date be when I change my vehicle registration from a nonfarm use class to a farm use class?** The expiration date of the gross weight license would remain the same as the current gross weight license.

**(4) What will be the start date of the gross weight license be when I change my vehicle registration from nonfarm use class to a farm use class?** The start date of the gross weight license would remain the same as the current gross weight license.

**(5) How many months gross weight must I purchase when I change my vehicle registration from nonfarm to farm?**

You will need to purchase the number of months remaining on the current gross weight license. Credit will be given as provided in subsection (6) of this section. You will also be charged for the permit fees as defined in RCW 46.16.135, in addition to all other fees required to license the vehicle.

**(6) Will I receive credit for gross weight fees that I have already paid?**

You will receive dollar value credit for the number of months and at the rate of the declared gross weight previously purchased for the period between the effective date of the change in use class and the expiration date of the previously issued gross weight license. At the time of application for change of use class from nonfarm to farm, any excess credit accrued as a result of such change may be applied toward the payment of gross weight license fees for the gross weight license months between the nonfarm gross weight license expiration date and the registration expiration date. Credit may not be carried over to the next registration year and any credit still remaining after purchasing gross weight license to the registration expiration date (~~((shall be forfeited))~~) forfeit. You must surrender the current gross weight license in order to receive credit. If the gross weight license is lost, stolen or destroyed, you must sign an affidavit of loss and a statement that the gross weight license has not been transferred to another vehicle. You will not receive credit for the monthly gross weight permit fees as defined in RCW 46.16.135.

AMENDATORY SECTION (Amending WSR 99-01-133, filed 12/21/98, effective 1/21/99)

**WAC 308-96A-210 Gross weight--Transfer of gross weight license to new owner. (1) Is a gross weight license transferable to a new owner at the time of transfer of ownership?**

Yes. A gross weight license of twelve thousand pounds or less (~~((must be))~~) is transferred to a new owner at the time of transfer of ownership of the vehicle. If the seller has signed off the gross weight license, the gross weight license of fourteen thousand pounds or more may be transferred to the new owner at the time of transfer of ownership of the vehicle. The seller also has the option of retaining the gross weight license to transfer to a replacement vehicle as provided in WAC 308-96A-220.

**(2) What happens if the gross weight license is neither transferred to the new owner or a replacement vehicle?**

Any gross weight credit not transferred to the new owner or to a replacement vehicle (~~((shall be forfeited))~~) is forfeit and (~~((shall not be))~~) is not refunded.

**(3) What will be the start date of the gross weight license when transferred to the new owner?**

(a) The new gross weight license start date for twelve thousand pounds or less is the first day of current registration year; or

(b) The new gross weight license start date for fourteen thousand pounds or more is the first day of the registration month in which application for transfer of ownership is made. A gross weight license cannot be purchased for a partial registration month. For example: If the current gross weight license start date was the 24th, the expiration is on the 23rd, and an application for transfer of ownership is made on the 17th, then the effective date of the new gross weight license is the 24th of the current registration month.

**(4) What would the new gross weight expiration date be?**

(a) If the current declared gross weight is twelve thousand pounds or less, the new gross weight expiration date (~~((will be))~~) is the same as the vehicle registration expiration date; or

(b) If the current declared gross weight is fourteen thousand pounds or more, the gross weight expiration date will remain the same as is currently in effect. You may choose to purchase additional months of gross weight not

to exceed the vehicle registration expiration date.

**(5) How many months gross weight fees will I be charged when I apply for transfer of ownership?**

You will be charged for the number of months from the start date of the new gross weight license to the expiration of the new gross weight license at the rate of the declared gross weight amount. Credit will be given as provided in subsection (6) of this section. You will also be charged for the permit fees as defined in RCW 46.16.135, when applicable, in addition to all other fees required to license the vehicle.

**(6) Will I receive credit for gross weight fees that have already been paid?**

If the previous owner has provided you with the signed off gross weight license, and the gross weight credit is fifteen dollars or more, you will receive dollar value credit for the number of months from the start date of the new gross weight license to the expiration of the current gross weight license and at the rate of the declared gross weight of the current gross weight license. However, you must surrender the current gross weight license in order to receive credit. If the gross weight license is lost, stolen or destroyed, you must provide an affidavit of loss and a statement from the seller that the gross weight license has not been, or will not be, transferred to another vehicle. You will not receive credit for the monthly gross weight permit fees as defined in RCW 46.16.135.

AMENDATORY SECTION (Amending WSR 02-11-095, filed 5/20/02, effective 6/20/02)

**WAC 308-96A-220 Gross weight--Transfer of gross weight license to a replacement vehicle.** (1) **May I transfer a gross weight license to a replacement vehicle?** Yes, the gross weight license on a truck, tractor, or truck tractor may be transferred to a replacement vehicle.

**(2) What qualifies as a replacement vehicle?** A replacement vehicle is a truck, tractor, or truck tractor that is:

(a) A presently unlicensed vehicle belonging to the same owner; or

(b) A vehicle purchased for replacement that is presently unlicensed or has had its gross weight license retained by its former owner.

**(3) What is an unlicensed vehicle?** For the purposes of this section, a vehicle is considered unlicensed if the current gross weight license expires prior to the registration, or if the current gross weight license is not adequate for the load being carried.

**(4) When may I transfer gross weight license to a replacement vehicle?** You may transfer a gross weight license from one vehicle to a replacement vehicle when the previously licensed vehicle (~~((has been))~~) is:

(a) Sold and the gross weight credit amount of fifteen dollars or more is retained;

(b) Destroyed;

(c) Reclassified so a gross weight license is no longer required;

(d) Registered in another jurisdiction;

(e) Involuntarily removed from the person's ownership by repossession, sheriff's sale, court order, chattel lien, landlord lien, self-service storage facility lien, abandoned vehicle sale;

(f) Stolen; or

(g) Removed from service by the owner.

Gross weight license may also be transferred to a replacement vehicle at the request of the owner.

**(5) What are the restrictions to transferring gross weight license?**



The restrictions to transferring gross weight license are:

(a) The expiration date of the transferred gross weight license may not:

(i) Extend beyond the registration expiration date of the replacement vehicle;

(ii) Be used to extend the registration expiration date of the replacement vehicle.

(b) The gross weight license being transferred may not exceed the replacement vehicle's weight limitations as defined in chapter 46.44 RCW;

(c) The gross weight license being transferred must be 14,000 pounds or more;

(d) The amount of gross weight credit being transferred must be fifteen dollars or more;

(e) A transfer of gross weight license for the purposes of increasing the declared gross weight of the replacement vehicle must comply with the requirements of WAC 308-96A-205;

(f) You must surrender the current gross weight license in order to transfer gross weight license to a replacement vehicle.

**(6) What would the new gross weight expiration date be?**

(a) The expiration date of the transferred gross weight license (~~((will be))~~) is the same day of the month as the registration expiration date of the replacement vehicle. For example: If the registration expiration date of the replacement vehicle is July 15, the transferred gross weight license will expire on the fifteenth day of the month, depending on how many months gross weight license was transferred.

You may choose to purchase additional months of gross weight not to exceed the replacement vehicle registration expiration date.

(b) If the registration of a replacement vehicle as described in subsection (2)(b) of this section has expired, new registration and gross weight expiration dates will be assigned.

**(7) Will I receive credit for gross weight fees that have already been paid?** You will receive credit for the current and unused portions of the gross weight license already purchased. Any excess credit will (~~((be forfeited and will))~~) not be refunded or ever used as a credit.